REMARKS

Favorable reconsideration of this application, in view of the present amendments and in light of the following discussion, is respectfully requested.

After entry of this Amendment, Claims 1-13 are pending. Claims 1-6 and 8-11 are amended, and Claims 12 and 13 are newly added. No new matter is introduced.

In the outstanding Office Action, Claims 1, 2, and 4-11 were rejected under 35 U.S.C. § 102(b) as anticipated by Huang, et al. (U.S. Patent No. 6,567,049 B1, herein "Huang"), and Claim 3 was rejected under 35 U.S.C. § 103(a) as unpatentable over Huang in view of Jakiela, et al. ("Continuum Structural Typology Design with Genetic Algorithms," Department of Mechanical Engineering, Washington University in St. Louis, pages 339-356, herein "Jakiela").

At the outset, Applicants and Applicants' representative thank Examiner David Vincent for the courtesy of a telephone interview with Applicants' representative on August 2, 2010. During the interview, the claimed invention was discussed and contrasted with the cited references Huang and Jakiela, as detailed below. Further, Examiner Vincent agreed that amending Claim 10 to recite a non-transitory computer readable storage medium storing computer readable instructions thereon which are executed by a processor would not introduce new matter.

Further regarding the amendment to Claim 10, the recitation of "non-transitory" in the claim is intended as a limitation of the medium itself (i.e., as a tangible medium and not a signal medium) as opposed to a limitation on data storage persistency (e.g., RAM vs. ROM).

Applicants respectfully traverse the rejections of the pending claims under 35 U.S.C. §§ 102 and 103.

Amended Claim 1 recites, *inter alia*, "setting alternate blocks of the generated blocks to be reference point blocks" and "assigning a chromosome to each reference point block, *the*

chromosomes for determining blocks which are set to be contiguous on sides of the reference

point blocks."

Huang describes scheming a plurality of blocks (311) on a metallic film (30)

according to properties of a chip antenna.[1] Huang further describes that each of the plurality

of blocks (311) is assigned a bit number to "show whether it is selected (for example, 1

represents being selected and 0 represents not being selected)."[2] According to Huang, the

respective bit numbers of each of the plurality of blocks (311) are combined sequentially "to

represent the configuration of a metallic wire (31)" as a chromosome of the chip antenna

corresponding to the configuration of the metallic wire (31).[3]

However, as discussed during the interview, Huang does not describe assigning a bit

number to a block (311) *for determining blocks which are set to be contiguous on sides of the*

block (311). Instead, Huang describes that a block (311) is assigned a bit number *for*

determining whether the block (311) is itself selected or unselected.[4] That is, as illustrated at

Figures 7 and 8 of Huang, block 3, which is assigned a bit number of 0, is unselected (i.e.,

removed), and block 4, which is assigned a bit number of 1, is selected (i.e., remains).

Specifically, however, Huang does not describe that the assignment of the bit numbers to

blocks 3 and 4 is for determining blocks which are set to be contiguous on sides of blocks 3

and 4. Therefore, Huang does not disclose "*assigning a chromosome to each reference point*

block, the chromosomes for determining blocks which are set to be contiguous on sides of the

reference point blocks," as recited by amended Claim 1.

Accordingly, Applicants respectfully request that the rejection of Claim 1, under 35

U.S.C. § 102(b), be withdrawn.

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[1] Huang at column 4, lines 40-50, and at Figures 7 and 8.
[2] Huang at column 4, lines 45-50.
[3] Huang at column 4, lines 50-55.
[4] Huang at column 4, lines 45-50.

Claim 2, although differing in scope from Claim 1, patentably defines over <u>Huang</u> for reasons similar to those as described above with regard to Claim 1. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 102(b) of Claim 2, and Claims 4-9 and 11, which depend therefrom, be withdrawn.
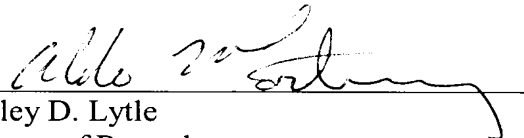
As all other rejections of record rely upon at least one of <u>Huang</u>, and <u>Huang</u> neither discloses or suggests the above-distinguished features, alone, or in combination with any other art of record, it is respectfully submitted that a *prima facie* case of obviousness cannot be maintained. Thus, Applicants respectfully request that the rejection of Claim 3, under 35 U.S.C. § 103(a), be withdrawn.

New Claims 12 and 13 depend from Claim 1. Therefore, Claims 12 and 13 patentably define over <u>Huang</u> for at least the same reasons as Claims 12 and 13 and are believed to be in condition for allowance.

Accordingly, the outstanding rejections are traversed and the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

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